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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,430	06/24/2003	David J. Nelson	01333	9642
7590	10/17/2006		EXAMINER	
Milton S. Sales Eastman Kodak Company 343 State Street Rochester, NY 14650-2201				HESS, BRUCE H
		ART UNIT	PAPER NUMBER	
			1774	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/602,430	NELSON ET AL
	Examiner Bruce H. Hess	Art Unit 1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 8-10-06 (Amendment)

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4, 7-9, 12, 13, 15 and 16

4) Claim(s)        is/are pending in the application.

4a) Of the above claim(s)        is/are withdrawn from consideration.

5) Claim(s)        is/are allowed       

6) Claim(s)        is/are rejected.

7) Claim(s)        is/are objected to.

8) Claim(s)        are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on        is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No.       .
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date       

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date       

5) Notice of Informal Patent Application

6) Other:

Claims 4, 7-9, 12, 13, 15 and 16 are again rejected under 35 U.S.C. 102(a) as being anticipated by the patent to Irvin et al. for the reasons of record.

Claims 4, 6-9, 11-13, 15 and 16 are again rejected under 35 U.S.C. 103(a) as being unpatentable over the patent Irvin et al. in view of either of the patents to Kaule et al. or Duggal et al. for the reasons of record.

Since the Irwin et al. article is marked with the same nanoparticulate organic material (i.e., C-545T) employed by applicants, it is inherent that the Irwin et al. article functions (e.g., luminesces) in the manner claimed by applicants.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



BRUCE H. HESS  
PRIMARY EXAMINER  
GROUP 1300